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9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2013-770

12 **SALLY CHAPMAN HAYES**  
13 **410 Appalossa Way**  
14 **Fernley, NV 89408**

**ACCUSATION**

15 **6560 Pyramid Way, Spc 41**  
**Sparks, NV 89436-9650**

16 **Registered Nurse License No. 432811**

17 Respondent.

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19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
23 Consumer Affairs.

24 2. On or about September 30, 1988, the Board of Registered Nursing issued Registered  
25 Nurse License Number 432811 to Sally Chapman Hayes (Respondent). The Registered Nurse  
26 License expired on October 31, 2005, and has not been renewed.

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1 COST RECOVERY

2 8. Section 125.3 of the Code provides, in relevant part, that the Board may request the  
3 administrative law judge to direct a licentiate found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
6 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
7 included in a stipulated settlement.

8 **FIRST CAUSE FOR DISCIPLINE**  
9 **(Unprofessional Conduct-Out of State Discipline)**  
10 **(Bus. & Prof Code § 2761, subd. (a)(4))**

11 9. Respondent has subjected her Registered Nursing License to disciplinary action under  
12 Code section 2761, subdivision (a)(4), in that on or about May 22, 2008, in a disciplinary action  
13 before the State of Nevada, Board of Nursing (Nevada Board), in a case entitled In the Matter of  
14 Sally Hayes Licensed Professional Nurse License No. RN 18528, the Nevada Board accepted and  
15 approved Respondent's written "Voluntary Surrender of License in Lieu of Other Disciplinary  
16 Action." Through this document, Respondent surrendered her Nevada Nursing License. The  
17 voluntary surrender is a disciplinary action by the Nevada Board. In this document, Respondent  
18 admits that she is "addicted to controlled substances and/or alcohol."

19 10. The Nevada Board had disciplined Respondent several years before Respondent's  
20 2008 surrender. Specifically, on or about March 3, 1994, Respondent's license to practice  
21 professional Nursing in Nevada was revoked, the revocation was stayed, and the license was  
22 placed on probation for a minimum of five years by the Nevada Board.

23 **SECOND CAUSE FOR DISCIPLINE**  
24 **(Unprofessional Conduct-Out of State Discipline)**  
25 **(Bus. & Prof Code § 2761, subd. (a)(4))**

26 11. Respondent has subjected her Registered Nursing License to disciplinary action under  
27 Code section 2761, subdivision (a)(4), in that on or about July 12, 1995, the Board of Nurse  
28 Examiners for the State of Texas (Texas Board) adopted an Agreed Order that was signed by  
Respondent on June 22, 1995. In the Agreed Order, the Texas Board agreed to remove

Respondent's license from delinquent status, and reactivate the license with the sanction of stipulations on her nursing practice.

12. The reason for placing the stipulations on Respondent's re-activated license was due to her violation of the Texas Nursing Act. Specifically, Respondent violated the Texas Nursing Act when her Nevada Nursing license was disciplined by the Nevada Board in March of 1994. Specifically, on or about March 3, 1994, Respondent's license to practice professional Nursing in Nevada was revoked, the revocation was stayed, and the license was placed on probation for a minimum of five years by the State of Nevada, Board of Nursing.

13. As part of the agreed upon order in Texas, Respondent agreed to comply with nine conditions in exchange for the re-activation of her Texas nursing license. These conditions included that Respondent would abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. Respondent also agreed to submit to random periodic screens for controlled substances and alcohol.

PRAYER


WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 432811, issued to Sally Chapman Hayes;

2. Ordering Sally Chapman Hayes to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: March 14, 2013

  
for LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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